

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY L. SMITH and
KYLE R. MCCLURE,

Defendants.

NO. CR17-218-RSL

~~PROPOSED~~

**PROTECTIVE ORDER
RESTRAINING CERTAIN
FORFEITABLE PROPERTY**

THIS MATTER comes before the Court on the United States' Motion for Entry of a Protective Order Restraining Certain Forfeitable Property ("Motion"), as follows:

- The following firearms seized on or about August 14, 2017, from the residence of Gregory L. Smith, located at 10090 Des Moines Memorial Drive South, Seattle, Washington:
 - a) One Target Patriot .327 Magnum caliber revolver, with serial number 85768;
 - b) One Arminius HW3 Revolver, with serial number 74768;
 - c) One Taurus .357 Magnum caliber revolver, with serial number NK162356;

- d) One Jiminez Arms 9mm caliber pistol, with serial number 204855;
- e) One Taurus PT 1911 .45 caliber pistol, with serial number NGM94882;
- f) One Sig Sauer P320 pistol, with serial number 58B205003;
- g) One Smith & Wesson .44 Magnum caliber revolver, with serial number AWU4914;
- h) One F.LLI Pietta revolver, with serial number P123420;
- i) One Mod RG26 .25 caliber pistol, with serial number U105649;
- j) One Walther PK380 pistol, with serial number PK018647;
- k) One New Frontier LN-15 rifle, with serial number NLV58417;
- l) One Knight Black Powder rifle .50 caliber, with serial number 431361;
- m) One Ruger .22 caliber rifle, with serial number 351-00955;
- n) One Norinco SKS rifle, with serial number 824;
- o) One Mossberg Model 88 12-gauge shotgun, with serial number MV51206S;
- p) One Extar EXP556 rifle, with serial number EP06637;
- q) One Ruger SP101 .357 Magnum caliber revolver, with serial number 576-57384;

- All firearm accessories seized on or about August 14, 2017, from the residence of Gregory L. Smith, located at 10090 Des Moines Memorial Drive South, Seattle, Washington;
- All ammunition seized on or about August 14, 2017, from the residence of Gregory L. Smith, located at 10090 Des Moines Memorial Drive South, Seattle, Washington;
- The following property seized on or about August 13, 2017, from the premises of 12555 37th Avenue NE, Seattle, Washington:
 - a) Approximately \$28,878 in U.S. currency;

- 1 b) Approximately \$6,873 in U.S. currency;
- 2 • The following property seized on or about August 13, 2017, in SeaTac,
- 3 Washington from Gregory L. Smith:
- 4 a) Approximately \$5,000 in U.S. currency;
- 5 b) Approximately \$1,698 in U.S. currency;
- 6 • The following property seized on or about August 14, 2017, from the premises of
- 7 10090 Des Moines Memorial Drive, Seattle, WA:
- 8 a) Approximately \$773,524.36 in U.S. currency;
- 9 b) Assorted precious metals, coins, jewelry, and miscellaneous items,
- 10 including items appearing to be:
- 11 i. twenty 1-troy ounce gold bars;
- 12 ii. one 1-ounce gold bar;
- 13 iii. two 2.5-gram gold bars;
- 14 iv. three 1-gram gold bars;
- 15 v. two 0.5-gram gold bars;
- 16 vi. one 50-gram gold bar;
- 17 vii. three 1-kilogram silver bars;
- 18 viii. four 10-troy ounce silver bars;
- 19 ix. eight 5-troy ounce silver bars;
- 20 x. twenty-four 1-troy ounce silver bars;
- 21 xi. one 2-troy ounce silver bar;
- 22 xii. one 1-kilogram silver bar;
- 23 xiii. one \$100 silver proof bar;
- 24 xiv. one 10-gram silver bar;
- 25 xv. five 1-troy ounce silver squares;
- 26 xvi. one 1-kilogram silver bar;
- 27 xvii. one 1-ounce silver bar;
- 28

- xviii. Seven silver coins;
 - xix. One silver crown;
 - xx. One rose-cut diamond bracelet;
 - xxi. Twenty 1-troy ounce Liberty silver coins;
 - xxii. One 1-ounce gold Chinese Panda coin;
 - xxiii. Eight 1-ounce Chinese Panda silver coins;
 - xxiv. One 1-ounce gold Buffalo coin;
 - xxv. One 1-ounce silver coin;
 - xxvi. One 2-ounce silver coin;
 - xxvii. One 1-troy ounce silver heart;
 - xxviii. Two cards with five grains of gold;
 - xxix. Five assorted gold coins;
 - xxx. One gold locket;
 - xxxi. Two silver coins;
 - xxxii. Eighteen 1-troy ounce silver coins;
 - xxxiii. Four 2-troy ounce silver coins;
- The following property seized on or about August 15, 2017, from storage unit number L051, located at 10020 Martin Luther King Way South in Seattle, Washington:
 - a) Approximately \$50,000 in U.S. currency;
 - b) One Glenfield Mod 25 22 Caliber rifle, with serial number 72412279;
 - c) Assorted ballistic body armor plates;
 - The following property seized on or about August 18, 2017, from a safe deposit box located at 600 Pine Street in Seattle, Washington:
 - a) Approximately \$34,700 in U.S. currency;
 - b) Assorted precious metals, including items appearing to be:
 - c) Eight silver bars stamped with "10 Troy ounces";

- d) One silver bar stamped with "5 Troy ounces";
- e) Four yellow metal bars stamped with "1 Troy ounce";
- f) One yellow metal bar stamped with "1 Ounce";
- g) One yellow metal bar stamped with ".5g";
- h) Eight yellow metal bars stamped with "1g";
- i) One yellow metal bar stamped with "2.5g";
- j) One yellow metal bar stamped with "5g"; and
- k) One yellow metal bar stamped with "10g."

(collectively, the "Subject Property").

The Court, having reviewed the papers and pleadings filed in this matter, including the United States' Motion and supporting materials, hereby FINDS entry of a protective order restraining the Subject Property is appropriate because:

- The United States gave notice of its intent to pursue forfeiture in its Indictment and gave further notice of its intent to forfeit the Subject Property in its Forfeiture Bill of Particulars. Dkt. Nos. 13 and 47.
- Based on the facts set forth in Postal Inspector Nelson Rivera's affidavit, there is probable cause to believe that the Subject Property is subject to forfeiture in this case; and
- To ensure the Subject Property remains available for forfeiture, its continued restraint, pursuant to 21 U.S.C. § 853(e)(1) is appropriate.

NOW, THEREFORE, THE COURT ORDERS:

1. The United States' request for a protective order restraining the Subject Property pending the conclusion of this case is GRANTED; and

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IT IS SO ORDERED.

MA Scasnik

Presented by:

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